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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/709,905 | 11/10/2000 | Kalyanaraman Ramnarayan | 24737-1906C | 3606 |

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HELLER EHRMAN WHITE & MCAULIFFE LLP
4350 LA JOLLA VILLAGE DRIVE
7TH FLOOR
SAN DIEGO, CA 92122-1246

EXAMINER

BRUSCA, JOHN S

| ART UNIT | PAPER NUMBER |
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1631

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DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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Commissioner for Patents

The reply filed on 03 June 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): See 37 CFR 1.111.

Amended claims 1-25, 45-50, 66, 67, 87-90, and newly submitted claims 95-127 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The originally elected invention was drawn to a method that required ab initio determination of a three dimensional protein structure from a polypeptide sequence, and the amendment filed 03 June 2003 deletes this limitation. The applicants have stated that the originally elected invention did not require ab initio structure determination because the specification discussed other methods of structure determination. However the specification cannot be read into the claims and the originally elected invention was examined with the ab initio limitation. The applicant has received an action on the merits for the originally elected invention. Accordingly, the amendment filed 03 June 2003 to the claims is non-responsive as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment to the specification filed 03 June 2003 has been entered to the specification and should not be duplicated by the applicants in response to this notice.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)

The Information Disclosure Statement filed 15 November 2002 was not entered prior to the mailing of the previous Office action of 03 December 2002. The statement has been considered and a copy of the signed form PTO 1449 is attached to this letter. No fee has been charged for the Information Disclosure Statement in view of its filing date.

The formal drawings filed 03 March 2003 have been approved and entered.

John S. Brusca
Primary Examiner
Art Unit: 1631.